

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CARLLOWS BATTLE,

Petitioner,

v.

No. 12-cv-0972 MCA/SMV

STATE OF NEW MEXICO,

Respondent.

ORDER GRANTING SECOND MOTION FOR CONTINUANCE

THIS MATTER is before the Court on Petitioner's [Second] Motion for Continuance [Doc. 13] ("Motion"), filed on December 28, 2012. After already having been granted an extra 30 days to reply to Respondent's Answer, Petitioner requests an additional 60 days because he has not had time to prepare his reply due to his prison job and because he has limited access to the prison library due to other inmates' use. Motion [Doc. 13] at 1. The Court, being fully advised in the premises, finds that the Motion is well-taken and should be GRANTED. However, Petitioner is warned that no further extensions of time will be granted absent a showing of good cause.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Petitioner's [Second] Motion for Continuance [Doc. 13] is **GRANTED**, and Petitioner may file his reply under Rule 5, Rules Governing 2254 Proceedings, no later than **February 26, 2013**.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge